

FISCAL NOTE

Bill #: SB0183 **Title:** Fund education for exonerated convict
Primary Sponsor: Bohlinger, J **Status:** As Introduced , Revised

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004</u> <u>Difference</u>	<u>FY 2005</u> <u>Difference</u>
Expenditures:		
General Fund	\$14,500	\$23,100
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	(\$14,500)	(\$23,100)

<input type="checkbox"/> Significant Local Gov. Impact	<input checked="" type="checkbox"/> Technical Concerns
<input type="checkbox"/> Included in the Executive Budget	<input type="checkbox"/> Significant Long-Term Impacts
<input type="checkbox"/> Dedicated Revenue Form Attached	<input checked="" type="checkbox"/> Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

Montana University System

1. The Department of Corrections estimates that one to two persons may be eligible for the educational aid provided by this bill during the next biennium.
2. Section 1(1) indicates that the educational aid intended under this bill is subject to an appropriation by the Legislature. The Montana University System will incur expenses for one student in FY 2004 and two students in FY 2005 as follows:

Fiscal Year 2004 – one Student

Tuition & Fees	\$4,000
Room & Board	\$5,500
<u>Books</u>	<u>\$1,000</u>
Total	\$10,500

Fiscal Year 2005- two Students

Tuition & Fees	\$ 8,000
Room & Board	\$11,000
Books	\$ 2,000
<u>Anticipated Cost Increase (+10)%</u>	<u>\$ 2,100</u>
Total	\$23,100

3. It cannot be determined if anyone exonerated from a conviction due to DNA testing would take advantage of this educational aid should it be provided.

Department of Corrections

4. New Section 1(1) states that the educational aid is “subject to appropriation by the legislature”. If HB 2 were to be amended with an appropriation for the educational aid, the FY 2004 cost for one student would

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(continued)

be about \$10,500 and the FY 2005 cost for two students would be about \$23,100 as stated above. The DOC would pay the MUS.

5. DOC would be required to establish rules as outlined in the bill. Costs of drafting, editing, refining, coordination, public comment and hearing, and publishing of both proposed and adopted rules is estimated to be a one-time expense of approximately \$4,000 which also would be budgeted in HB 2.

FISCAL IMPACT:

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Department of Corrections		
<u>Expenditures:</u>		
Operating Expenses	\$14,500	\$23,100
<u>Funding of Expenditures:</u>		
General Fund (01)	\$14,500	\$23,100
<u>Revenues:</u>		
General Fund (01)	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	(\$14,500)	(\$23,100)

LONG-RANGE IMPACTS:

1. Since each person will be eligible for aid for up to five years, the numbers would be compounding in future years, for example, DOC costs would be about \$30,000 in FY 2006, \$45,000 in FY 2007 and \$60,000 in FY 2008.

TECHNICAL NOTES:

1. The DOC has no supervision or control of persons exonerated of a crime by DNA evidence and currently has no function relating to education of persons not under DOC supervision and control.
2. Section 1(1) of the bill provides that the educational aid provided would be sufficient to cover expenses for tuition, fees, books, board and room at any campus of the Montana University System or an accredited tribally controlled community college. Section 2 of the bill requires that the aid must include assistance in meeting any admission standard or criteria required at any of the institutions listed. Since tuition and fees, area cost of living, costs associated with a particular degree program (books, labs, etc.), and the recipient's need for aid to meet admission standards will vary depending on the recipient's degree/campus selection, previous educational attainment and proficiencies, the exact amount of the appropriation needed to provide educational aid cannot be determined.